IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 1236/2006
(Jimna Ram Vs. State of Rajasthan)

Date of Order : 20/09/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Vishal Sharma for the petitioner.
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 12.9.2006 passed by Judicial Magistrate, First Class, Merta (for short 'the trial court' hereinafter), whereby the application filed by the petitioner seeking to examine the injured by Medical Board was dismissed on the ground that the Court has only received the first information report after having been lodged and the matter is at the investigation stage as also there is no material before the Court to adjudge as to whether such a request can be accepted or not. I do not find any error, illegality or perversity in the order impugned warranting interference in the inherent jurisdiction.

The criminal misc. petition has no force and it is therefore, dismissed. However, it is made clear that if the petitioner wishes that the injured should be examined by Medical Board, he may move to the investigating agency.

(H.R.PANWAR),J.

rp